



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

27 March 2009

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.rracpc.org>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

AFB = Air Force Base
CAA = Clean Air Act
CAAWG = Clean Air Act Working Group
CAL FIRE = California Department of Forestry and Fire Protection
CCAFS = Cape Canaveral Air Force Station
CCR = *California Code of Regulations*
CDPHE = Colorado Department of Public Health and Environment
CFR = *Code of Federal Regulations*
COMAR = *Code of Maryland Regulations*
CRNR = *California Regulatory Notice Register*
CY = Calendar year
DOAH = Division of Administrative Hearings
DOE = U.S. Department of Energy
DOT = U.S. Department of Transportation
EPA = U.S. Environmental Protection Agency
EPCRA = Emergency Planning and Community Right-to-Know Act
FAW = *Florida Administrative Weekly*
FR = *Federal Register*
GRC = Glenn Research Center
MDE = Maryland Department of the Environment
Md.R = *Maryland Register*
NAAQS = National Ambient Air Quality Standards
NASA = National Aeronautics and Space Administration
NEPA = National Environmental Policy Act
NOx = Nitrogen oxide
NRC = Nuclear Regulatory Commission

NSR = New source review
OAC = Ohio Administrative Code
OEPA = Ohio Environmental Protection Agency
OFEE = Office of the Federal Environmental Executive
PBR = Permit by Rule
PM = Particulate Matter
PSD = Prevention of significant deterioration
RACT = Reasonably available control technology
Reg Comm = Regulatory Communication
RIN = Regulatory Identification Number
RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
SIP = State Implementation Plan
SRIPP = Shoreline and Infrastructure Protection Program
SJRWMD = St. John's River Watershed Management District
SYP = Sustained yield plan
TAC = Texas Administrative Code
TexReg = *Texas Register*
TMDL = Total maximum daily load
TRI = Toxic release inventory
TSCA = Toxic Substances Control Act
U.S. = United States
USDA = U.S. Department of Agriculture
Va.R.= *Virginia Register*
VOC = Volatile organic compound
WFF = Wallops Flight Facility

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED032709-1	CAA NAAQS-PM	03/18/2009	74 FR 11580	Notice	Review of the National Ambient Air Quality Standards for Particulate Matter Announces availability of two planning documents titled: " Particulate Matter National Ambient Air Quality Standards: Scope and Methods Plan for Health Risk and Exposure Assessment " and " Particulate Matter National Ambient Air Quality Standards: Scope and Methods Plan for Urban Visibility Impact Assessment ." These documents describe the planned approach for developing quantitative analyses as part of the review of the NAAQS for PM. Comments due 05/18/2009.	
FED032709-2	CAA PM10 and PM2.5 Measurement	03/25/2009	74 FR 12969	Proposed Rule	Methods for Measurement of Filterable PM10 and PM2.5 and Measurement of Condensable Particulate Matter Emissions from Stationary Sources [40 CFR Part 51] Proposes amendments to Methods 201A and 202 for measuring PM10 and PM2.5 from stationary sources. The proposed amendments to Method 201A would add a particle-sizing device to allow for sampling of PM2.5. The proposed amendments to Method 202 would revise the sample collection and recovery procedures to reduce the formation of reaction artifacts that could lead to inaccurate measurements of condensable PM. Additionally, the proposed amendments to Method 202 would eliminate most of the hardware and analytical options in the existing method, thereby increasing the precision of the method and improving consistency in the measurements. Solicits comments about whether to end the transition period for condensable PM in the NSR program on a date earlier than the current end date of 01/01/2011. Comments due 05/26/2009. [RIN 2060-AO58]	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED032709-3	CAA PSD and NSR–Aggregation	03/18/2009	74 FR 11509	Proposed Rule	<p>Prevention of Significant Deterioration and Nonattainment New Source Review: Aggregation [40 CFR Parts 51 and 52]</p> <p>Proposes to delay the effective date for the rule addressing “aggregation” under the PSD and nonattainment NSR programs (74 FR 2376, 01/15/2009). This rule described when a source must combine (“aggregate”) nominally separate physical changes and changes in the method of operation to determine whether they are a single change resulting in a significant emissions increase. In response to a public petition to reconsider the amendments, EPA previously announced it would convene a reconsideration proceeding and delay the effective date of the rule from 02/17/2009 until 05/18/2009. This current action proposes an additional delay of the effective date and solicits comments regarding the duration of this additional delay to allow for sufficient time to conduct the reconsideration proceeding. Comments due 04/17/2009. If a public hearing is requested by 03/30/2009, hearing will be held 04/02/2009. [RIN 2060-AP49]</p>	
FED032709-4	CAA Stationary Combustion Turbines	03/20/2009	74 FR 11858	Direct Final Rule	<p>Standards of Performance for Stationary Combustion Turbines [40 CFR Part 60]</p> <p>Direct final action on amendments to the sulfur dioxide air emission standards for stationary combustion turbines that burn biogas (landfill gas, digester gas, etc.). Without these amendments, owners and operators of new stationary combustion turbines burning biogas containing relatively low amounts of sulfur-containing compounds will be required to install pretreatment facilities to remove the sulfur compounds prior to combustion or to install post-combustion controls to lower sulfur dioxide emissions. Effective 05/19/2009 unless adverse comments received by 04/20/2009. [RIN 2060-AQ23]</p>	
FED032709-5	Endangered Species Act	03/18/2009	74 FR 11600	Notice	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants: 5-Year Reviews</p> <p>Announces that 5-year reviews have been initiated for the following threatened species:</p> <ul style="list-style-type: none"> ▪ Prairie bush-clover ▪ Mead's milkweed <p>and for the following endangered species:</p> <ul style="list-style-type: none"> ▪ Scioto madtom ▪ Purple cat's paw pearl mussel ▪ Winged mapleleaf (mussel) ▪ Tumbling Creek cavesnail ▪ Karner blue butterfly ▪ Mitchell's satyr butterfly ▪ Michigan monkey-flower <p>Requests any new information about each species that might have a bearing on its classification as endangered or threatened. Comments due 05/18/2009.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED032709-6	Endangered Species Act Birds	03/16/2009	74 FR 11128	Notice	U.S. Fish and Wildlife Service Availability of Birds of Conservation Concern 2008 Announces the availability of " Birds of Conservation Concern 2008 ." This publication identifies species, subspecies, and populations of migratory and nonmigratory birds in need of additional conservation actions. The goal of the publication is to stimulate coordinated and collaborative proactive conservation actions among federal, state, tribal, and private partners.	
FED032709-7	EPCRA Reporting	03/26/2009	74 FR 13124	Final Rule	Hazardous Chemical Reporting; Tier II Inventory Information [40 CFR Part 370] Corrects an error in amendments (73 FR 65451 , 11/03/2008) to the Tier II Inventory requirements in the Emergency Planning and Emergency Release Notification and Hazardous Chemical Reporting regulations. Effective 03/26/2009. [RIN 2050-AE17]	
FED032709-8	Greenhouse Gases Reporting	03/25/2009	74 FR 12782	Notice	Public Hearings for the Mandatory Reporting Rule for Greenhouse Gases [40 CFR Parts 86, 87, 89, 90, 94, 98, 600, 1033, 1039, 1042, 1045, 1048, 1051, 1054, 1065] Announces two public hearings to be held for the proposed rule " Mandatory Reporting of Greenhouse Gases ," which will be published separately in the FR. One hearing will be held 04/06/2009 through 04/07/2009 in Arlington, Virginia. The other hearing will be held 04/16/2009 in Sacramento, California. [RIN 2060-A079]	
FED032709-9	Hazardous Materials Transportation Special Permits	03/16/2009	74 FR 11175	Notice	Pipeline and Hazardous Materials Safety Administration Office of Hazardous Materials Safety: Notice of Application for Special Permits Notice of applications for special permits. List includes the following applications for new special permits: <ul style="list-style-type: none"> Application number 14812-N, NASA, Washington, D.C., Special Permit to authorize the transportation in commerce of certain Division 1.4C cartridge power devices that are installed in a spacecraft and packaged in non-DOT specification packaging. Application number 14814-N, NASA, Houston, Texas, Special Permit to authorize the transportation in commerce of certain Division 2.2 compressed gases in DOT specification cylinders to support the International Space Station Human Research Facility Gas Delivery System. Comments due 04/15/2009.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED032709-10	Recovery Act Funds	03/25/2009	74 FR 12531	Presidential Memorandum	<p>Ensuring Responsible Spending of Recovery Act Funds</p> <p>Directs the heads of executive departments and agencies to take certain steps for any further commitments, obligations, or expenditures of funds under the "American Recovery and Reinvestment Act of 2009." Steps include the following:</p> <ul style="list-style-type: none"> Ensuring merit-based decisionmaking for grants and other forms of federal financial assistance Avoiding funding of imprudent projects Ensuring transparency of registered lobbyist communications <p>Dated 03/20/2009.</p>	
FED032709-11	Restricted Areas	03/18/2009	74 FR 11507	Proposed Rule	<p>U.S. Army Corps of Engineers, Department of Defense</p> <p>Restricted Areas at Cape Canaveral Air Force Station, Patrick AFB, FL [33 CFR Part 334]</p> <p>Proposes to enlarge an existing restricted area in the Banana River and to establish a new restricted area in the Atlantic Ocean for the CCAFS. Also proposes to remove an existing restricted area in the Banana River at CCAFS. Comments due 04/17/2009.</p>	
FED032709-12	Toxic Substances Toxicity Evaluation	03/25/2009	74 FR 12847	Notice	<p>Notice of Availability for the U.S. Environmental Protection Agency's Strategic Plan for Evaluating the Toxicity of Chemicals</p> <p>Announces the availability of the final document, "The U.S. Environmental Protection Agency's Strategic Plan for Evaluating the Toxicity of Chemicals." The purpose of the Strategic Plan is to serve as a blueprint in incorporating advances in molecular biology and computational sciences into toxicity testing and risk assessment practices. The Strategic Plan is centered on three interrelated components:</p> <ul style="list-style-type: none"> Toxicity pathways identification and use of this information in screening and prioritization of chemicals for further testing The use of toxicity pathways information in risk assessment The institutional transition necessary to implement such practices across EPA 	
FED032709-13	TSCA High Production Volume Chemicals	03/16/2009	74 FR 11050	Notice	<p>Testing of Certain High Production Volume Chemicals; Second Group of Chemicals; Notice of Public Meeting [40 CFR Part 799]</p> <p>Notice of a public meeting to accept comments on a proposed rule (73 FR 43313, 07/24/2008) to require manufacturers, importers, and processors of certain high production volume chemical substances to conduct testing to obtain screening level data for health and environmental effects and chemical fate. Public meeting to be held 03/31/2009 in Washington, DC. [RIN 2070-AD16]</p>	

1.2 Significant News and Other Developments

1.2.1 EPA Halts the Performance Track Program

On 16 March 2009, EPA Administrator Lisa Jackson issued a letter halting the National Environmental Performance Track Program. The Performance Track Program was designed to recognize and drive environmental excellence by encouraging facilities that had strong environmental record to go above and beyond their legal requirements. Currently, the program has more than 500 members, including major corporations, small businesses, and government entities. While halted, the program will undergo reviews by the following:

- A multi-stakeholder subcommittee under the National Advisory Council for Environmental Policy and Technology to focus on the future of EPA environmental leadership programs
- The RAND Corporation to support EPA's understanding of environmental leadership programs as viable tools for protecting the environment

Administrator Jackson's letter and additional information are available on EPA's Performance Track [website](#).

1.2.2 CY 2007 TRI Data and Changes to CY 2008 Reporting Requirements

On 19 March 2009, EPA published data from the 2007 TRI reporting year. Trends from the calendar year 2007 data show an overall decrease of 5 percent in toxic releases since 2006, with releases to air decreasing by 7 percent and releases to water decreasing by 5 percent. The data include 650 chemicals from 22,000 facilities, to provide communities with information regarding the chemical releases in their area. TRI tracks the chemicals and industrial releases as regulated under EPCRA.

TRI reporting requirements changed on 11 March 2009 due to changes in federal law enacted as part of the 2009 Omnibus Appropriations Act. These changes mandate that TRI reporting requirements must revert to the rules in effect before 22 December 2006. These changes affect TRI reports due 1 July 2009. The change requires that all reports regarding PBT chemicals be submitted on "Form R," the more detailed form. For all other chemicals the shorter form, "Form A," may be used if the "annual reporting amount" is 500 pounds or less and if the chemical was manufactured, processed, or otherwise used in an amount not exceeding 1 million pounds. EPA anticipates issuing a rule to update the regulatory text in the CFR to reflect these changes. EPA's electronic TRI reporting system, the TRI-ME software, and other reporting assistance materials are being revised and will be available soon, because these changes must be incorporated by facilities submitting 2008 reports. Reports for CY 2008 are due to EPA on 1 July 2009. Additional information is available on EPA's [TRI website](#).

1.2.3 EPA Issues Notice for Further Delay of NSR Regulations

On 18 March 2009, EPA issued a proposed rule [[74 FR 11509](#)] to delay the effective date of NSR requirements until 18 November 2009. EPA previously delayed the rule based on a White House memorandum issued earlier this year requiring federal agencies to review all

pending regulations. The requirements finalized on 15 January 2009 [[74 FR 2376](#)] include EPA's aggregation policy, which provided guidelines for allowing facilities or permitting authorities to group together the emissions of related physical or operational changes at a facility into a single project.

EPA is soliciting comments on delaying the rule by an additional year, but is not soliciting public comments on the aggregation policy. EPA will accept public comments until 17 April 2009.

1.2.4 OFEE Issues Green Product Compilation List

The OFEE has created a consolidated list of the products that EPA, DOE, and USDA recommend based on their environmental or energy attributes. This is the first joint list of its kind, documenting the product and service providers for these contracts in a single series of spreadsheets for contracting and procurement officials. The [list](#) is available on OFEE's [Green Purchasing website](#).

1.3 Working Group Updates

On the basis of the results of the feedback provided in response to recent survey requests, the CAAWG has been renamed the Regulatory Communication (RegComm) Working Group. The working group, primarily composed of and intended for NASA Center environmental staff, will focus on a variety of multimedia subjects, including both emerging regulations and regulatory refresher information. The topics for each call will be announced in advance so that the appropriate environmental media representatives can plan to attend.

Calls in 2009 will be held on the following Wednesdays at 12pm CT:

- April 1
- April 15
- May 20
- June 17
- July 1
- July 15
- August 5
- August 19
- September 2
- September 16
- October 7
- October 21
- November 4
- November 18
- December 2

2.0 State Regulatory Reviews

The following sections provide details of the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL032709-1	Air SIP	03/18/2009	74 FR 11483	Final Rule Notice of Administrative Change	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Air Quality Implementation Plans; Alabama; Update to Materials Incorporated by Reference [40 CFR Part 52]</p> <p>Updates to the Alabama SIP include the following:</p> <ul style="list-style-type: none"> Materials submitted by the State of Alabama that are incorporated by reference into the Alabama SIP are being updated to reflect EPA-approved revisions to Alabama's SIP. Corrections to typographical errors. <p>Effective 03/18/2009.</p> <p>SIP References:</p> <p>General Provisions-40 CFR Part 52 Subpart A</p> <p>Alabama SIP-40 CFR Part 52 Subpart B</p>	

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA032709-1	Endangered Species	03/26/2009	74 FR 12878	Notice	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; Initiation of 5-Year Reviews of 58 Species in California, Nevada, Arizona, and Utah; Availability of Completed 5-Year Reviews in California and Nevada</p> <p>Announces initiation of 5-year reviews for 11 wildlife species and 47 plant species in western states, including California. New information on species due 05/26/2009. Completed 5-year reviews are available online.</p>	
CA032709-2	Forestry Northern Spotted Owl	03/20/2009	CRNR 2009, 12z, p. 436	Proposed Rule	<p>Board of Forestry and Fire Protection</p> <p>Evaluation for "Take" Avoidance of Northern Spotted Owl, 2009 [14 CCR 895, 895.1, 919.9, 919.10, 939.9, and 939.10]</p> <p>Provides CAL FIRE with a mechanism for obtaining biological expertise to assist in ensuring that all plans located within the range of the northern spotted owl incorporate enforceable protection measures for the species. The initial statement of reasons and the text of the proposed regulations are available. Comments due 05/05/2009. Public hearing is scheduled for 05/06/2009 at the Resources Building Auditorium in Sacramento.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA032709-3	Forestry SYPs	03/20/2009	CRNR 2009, 12z, p. 439	Proposed Regulations	Board of Forestry and Fire Protection Sustained Yield Plan Renewal, 2009 [14 CCR 1091.15 and 1091.9] Improves the functionality and usefulness of the existing Forest Practice Rules for Sustained Yield Plans to promote SYP continued use. The initial statement of reasons and the text of the proposed regulations are available. Comments due 05/05/2009. Public hearing is scheduled for 05/06/2009 at the Resources Building Auditorium in Sacramento.	
CA032709-4	Hazardous Materials	03/20/2009	CRNR 2009, 12z, p. 448	Final Rule	California Highway Patrol General Hazardous Materials Regulations [13 CCR 1160.3, 1160.4, 1160.6] Finalizes regulations related to the licensing and application process for motor carriers for transportation of hazardous materials. Effective 04/09/2009. For further information, please see the rulemaking website.	
CA032709-5	Occupational Safety	03/20/2009	CRNR 2009, 12z, p. 450	Final Rule	Occupational Safety and Health Standards Board Mechanical Refrigeration [8 CCR 3248] Deals with mechanical refrigeration systems and the application of chapters. Effective 04/03/2009. Further information is posted on the Mechanical Refrigeration website.	
CA032709-6	Wilderness	03/27/2009	CRNR 2009, 13z, p. 480	Notice	Department of Parks and Recreation Wilderness Regulations [14 CCR 4351 and 4351.1] Proposes no use of motorized vehicles, motorized equipment or motor boats, landing or hovering of aircraft, other forms of mechanical transport, and no permanent structures within any state wilderness area. Comments due 05/11/2009. Public hearings are 04/14/2009 at California Citrus State Historic Park in Riverside and 05/12/2009 at the Resources Building in Sacramento.	

2.3 Colorado

This summary includes items that were reviewed for potential impacts to NASA-related operations in Colorado.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CO032709-1	Water Quality	03/10/2009	CO Register Vol. 32, No. 3 2008-01231	Notice	Colorado Department of Public Health and Environment 5 CCR 1002 Water Quality Control Commission Announces a public hearing to discuss proposed revisions to Colorado Water Quality regulations as follows: <ul style="list-style-type: none"> ▪ 5 CCR 1002-38—Classifications and Numeric Standards South Platte River Basin, Laramie River Basin, Republican River Basin, Smoky Hill River Basin The hearing will be held 06/08/2009 at CDPHE in South Denver, Colorado.	

2.4 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL032709-1	Coastal Areas Oceans and Coastal Council	03/20/2009	FAW Notice #6567790	Notice Meeting	Chapter 62–Florida Oceans and Coastal Council The Florida Oceans and Coastal Council will hold a conference call to further its duties under the Oceans and Coastal Resources Act on 04/13/2009.	
FL032709-2	Public Lands Acquisition and Restoration Council	03/20/2009	FAW Notice #6902343	Notice Meeting	Chapter 62–Acquisition and Restoration Cancels the public hearing for 04/02/2009. The previously noticed meeting will proceed as scheduled and public testimony will be heard on 04/03/2009 in Tallahassee, Florida. Information on the Acquisition and Restoration Council is provided on the Council's website.	
FL032709-3	Water SJRWMD	03/20/2009	FAW Notice #6893516	Notice Meeting	Chapter 40C–SJRWMD Announces a public meeting to discuss regulatory and non-regulatory matters, scheduled for 04/14/2009 at SJRWMD Headquarters, Palatka, Florida.	
FL032709-4	Water SJRWMD	03/20/2009	FAW Notice #6893031	Notice Meeting	Chapter 40C–SJRWMD Announces a business meeting of the Projects and Land Committee on 04/13/2009 in Palatka, Florida.	
FL032709-5	Water SJRWMD	03/20/2009, 03/27/2009	FAW Notices #6893419	Notice Meeting	Chapter 40C–SJRWMD Entry of final order in St. Johns Riverkeeper, Inc., City of Jacksonville, and St. Johns County vs. St. Johns River Water Management District and Seminole County; DOAH Case Nos. 08-1313 through 08-1318; SJRWMD F.O.R. No. 2008-33. Meeting will be held 04/13/2009 at SJRWMD Headquarters, Palatka, Florida.	
FL032709-6	Water SJRWMD	03/20/2009	FAW Notice #6913013	Withdrawal Notice	Chapter 40C–SJRWMD 2–Permitting of Consumptive Uses of Water Notice to withdraw draft text available in FAW Notice #6542667 . Draft text related to the use of water for irrigation in both the General Permit by Rule for small water uses and the conditions for issuance of permits for applicants who require a consumptive use permit from SJRWMD and do not qualify for the General Permit by Rule.	

2.5 Louisiana State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Louisiana.

2.6 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Maryland.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD032709-1	Air SIP	03/19/2009	74 FR 11647	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Air Quality Implementation Plans; Maryland; Update to Materials Incorporated by Reference [40 CFR Part 52]</p> <p>Updates the Maryland SIP to incorporate regulations previously submitted by MDE and approved by EPA. Effective 03/19/2009.</p> <p>SIP References:</p> <p>General Provisions-40 CFR Part 52 Subpart A</p> <p>Maryland SIP-40 CFR Part 52 Subpart V</p>	
MD032709-2	Air SIP-VOCs	03/25/2009	74 FR 12556	Direct Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Air Quality Implementation Plan; Maryland; Reasonably Available Control Technology Requirements for Volatile Organic Compounds [40 CFR Part 52]</p> <p>Final approval of revisions to Maryland's SIP at COMAR 26.11.19.02G and COMAR 26.11.06.06. Revisions pertain to Maryland's major source VOC RACT requirements. Effective 05/26/2009 unless adverse comments are received by 04/24/2009.</p>	
MD032709-3	Occupational Safety Crane Safety	03/27/2009	36:7 Md.R. 522	Notice of Final Action	<p>Department of Labor, Licensing, and Regulation</p> <p>Crane Safety</p> <p>Final adoption of regulations under a new chapter, COMAR 09.12.26 Crane Safety, to require that employers ensure their crane operators, crane operator trainees, signal persons, and riggers have received certain training and that employees have a medical examination before operating cranes and every 2 years thereafter. Effective 04/06/2009.</p>	
MD032709-4	Radiation Radiation Protection	03/27/2009	36:7 Md.R. 565	Proposed Action	<p>Department of the Environment</p> <p>Radiation Protection</p> <p>Proposes to amend Radiation Protection regulations by incorporating Supplement 16 into COMAR 26.12.01.01 regulations. This supplement incorporates revised NRC regulations on packaging and transporting radioactive material. The NRC has revised these regulations to make them compatible with the latest International Atomic Energy Agency standards for safe transportation of radioactive material. Comments due 04/29/2009.</p>	
MD032709-5	Radiation Radiation Protection	03/27/2009	36:7 Md.R. 566	Proposed Action	<p>Department of the Environment</p> <p>Radiation Protection</p> <p>Proposes to amend Radiation Protection regulations by incorporating Supplement 17 into COMAR 26.12.01.01 regulations. This supplement incorporates minor NRC amendments; corrections to rules relating to control of radioactive materials; and new NRC rules relating to nationally tracked radioactive materials. Also proposes minor changes related to requirements for scheduled maintenance of radiation machines and public posting of notices of violation. Comments due 04/29/2009.</p>	

2.7 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

2.8 New Mexico State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in New Mexico.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM032709-1	Hazardous Waste Management Program	03/25/2009	74 FR 12625	Immediate Final Rule	U.S. Environmental Protection Agency Final Authorization of State Hazardous Waste Management Program Revision [40 CFR Part 271] Final authorization of New Mexico's Used Oil program. Effective 05/26/2009 unless adverse comments are received by 04/24/2009.	
NM032709-2	Water Quality TMDLs	03/18/2009	74 FR 11546	Notice	U.S. Environmental Protection Agency Clean Water Act Section 303(d): Availability of List Decisions [40 CFR Part 130.7] Announces availability of final action identifying water quality-limited segments and associated pollutants in New Mexico to be listed pursuant to Clean Water Section 303(d). Section 303(d) requires that states submit and EPA approve or disapprove lists of waters for which existing technology-based pollution controls are not stringent enough to attain or maintain state water quality standards and for which TMDLs must be prepared. Comments due 04/17/2009.	

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH032709-1	Air NAAQS-Ozone	03/23/2009	Public Notice	Final Rule	Division of Air Pollution Control, OEPA New and Amended Rules in OAC Chapter 3745-21, Carbon Monoxide, Photochemically Reactive Materials, Hydrocarbons, and related Materials Standards [OAC Chapter 3745-21] Finalizes new and amended rules related to Control Techniques Guidelines issued by EPA in 2006 and 2007. The amendments address federal RACT guidance, and along with other rules, assist in achieving and maintaining the NAAQS for ozone. The final rules under this Chapter apply to the eight "moderate" non-attainment counties located in the Cleveland/Akron, Ohio, metropolitan area, including Cuyahoga County. Effective 04/02/2009. SIP References: General Provisions-40 CFR Part 52 Subpart A Ohio SIP-40 CFR Part 52 Subpart KK	GRC should be aware of the final rules.

2.10 Texas State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register*. Current and historical versions of the *Texas Register* can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX032709-1	Air Permit By Rule	03/27/2009	34 TexReg 2091	Proposed Rule	<p>Texas Commission on Environmental Quality Permits By Rule [30 TAC 106]</p> <p>Proposes to repeal the following nine PBRs that are no longer necessary, because the types of facilities are currently listed as "<i>De Minimis</i> Facilities or Sources:"</p> <ul style="list-style-type: none"> Domestic and Comfort Heating and Cooling, (30 TAC 106.101 and 106.103) Hydraulic and Hydrostatic Testing Equipment (30 TAC 106.121) Vacuum-producing Devices for Laboratory Use (30 TAC 106.123) Platen Presses for Laminating (30 TAC 106.228) Feed Grinding Facilities (30 TAC 106.282) Cotton Gin Stands (30 TAC 106.291) Wax Melting and Application (30 TAC 106.312) Bond Lining to Brake Shoes (30 TAC 106.413) <p>Public hearing to be held 04/27/2009 in Austin. Comments due 04/30/2009.</p>	
TX032709-2	CAA SIP-Permits	03/20/2009	74 FR 11851	Direct Final Rule	<p>U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; Texas; Revisions to Permits by Rule and Regulations for Control of Air Pollution by Permits for New Construction or Modification [40 CFR Part 52]</p> <p>Direct final action to approve portions of three revisions to the Texas SIP. Effective 05/19/2009 unless adverse comments received by 04/20/2009.</p> <p>SIP References: General Provisions-40 CFR Part 52 Subpart A Texas SIP-40 CFR Part 52 Subpart SS</p>	

2.11 Utah State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Utah.

2.12 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia. Citations of the [Virginia Register](#) (Va.R.) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA032709-1	Air SIP-Open Burning	03/19/2009	74 FR 11661	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Virginia; Amendments to the Open Burning Regulation [40 CFR Part 52] Approves the SIP revision pertaining to Virginia's open burning regulation. Effective 04/20/2009. SIP References: General Provisions-40 CFR Part 52 Subpart A Virginia SIP-40 CFR Part 52 Subpart VV	
VA032709-2	Air SIP-Ozone	03/19/2009	74 FR 11702	Proposed Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Virginia; Northern Virginia Reasonably Available Control Technology under the 8-Hour Ozone National Ambient Air Quality Standard [40 CFR Part 52] Proposes to approve the SIP revision that the Virginia portion of the Washington, D.C., metro area meets the requirements of RACT for NOx and VOCs under the 8-hour Ozone NAAQS. Comments due 04/20/2009.	
VA032709-3	NEPA WFF SRIPP	03/24/2009	74 FR 12387	Notice	National Aeronautics and Space Administration National Environmental Policy Act; Wallops Flight Facility Shoreline Restoration and Infrastructure Protection Program Announces intent to prepare an EIS to conduct scoping for the Wallops Island Facility SRIPP. The SRIPP would restore the Wallops Island shoreline and help protect federal and state property from natural disasters. Comments due 05/11/2009.	
VA032709-4	Toxic Substances TRI	03/19/2009	VDEQ Website	Notice of Availability	Virginia Department of Environmental Quality The Virginia 2007 TRI Report is available for review.	